

FILED
JAMES BONINI
CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

2003 DEC -8 PM 3:06

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST DIV CINCINNATI

LOUIS MERRIWEATHER-PLAINTIFF

V.

JAMES ERWIN-WARDEN-DEFENDANT

CASE NO. C-102-369

JUDGE

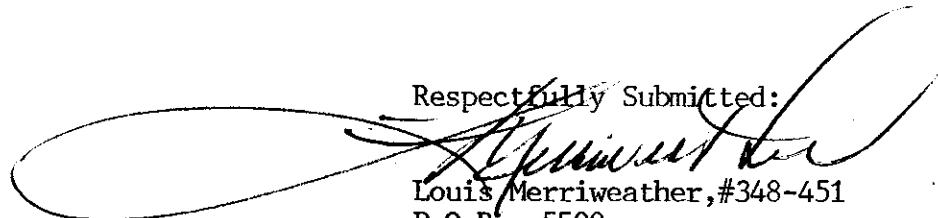
SPIEGEL

JUDICIAL NOTICE

Now comes petitioner Louis Merriweather, in pro se and attest, that on Sept. 2, 2003, he filed with the Hamilton County Common Pleas Clerk of Courts a petition pursuant to O.R.C. §2953.21, under new and discovered evidence, on a serious question of subject matter jurisdiction. This is a post-conviction remedy, however, the Hamilton County Common Pleas Clerk of Courts has continually refused to file this petition properly in the proper court for over 90 days, thereby denying petitioner the right to properly challenge the "lawless" of his arrest and conviction in trial court which is the proper court for post-conviction remedies.

"It is well settled Ohio law, that jurisdiction challenges may be raised at anytime or by "collateral attack". See attached petition and letters for correction to properly file such post-conviction remedies. By "not" properly filing petitioner's post-conviction petition the clerk of courts in Hamilton County is denying this petitioner access to the courts'.

Respectfully Submitted:

Louis Merriweather, #348-451
P.O. Box 5500
Chillicothe, Ohio 45601-0990
Dec. 1, 2003